

Schedule A

NOTICE OF PROPOSED SETTLEMENT AND SETTLEMENT APPROVAL HEARING

WERE YOU PRESCRIBED AND DID YOU PURCHASE AND USE PICATO® IN CANADA BETWEEN JANUARY 1, 2013 AND THE PRESENT DAY?

YOUR LEGAL RIGHTS MAY BE AFFECTED

A class action settlement has been reached in *Stewart v. LEO Pharma Inc. et al*, S.C.B.C. No. S2010053 (the "Claim").

The British Columbia Supreme Court has certified the class action for the purposes of implementing the proposed settlement. The settlement is a compromise of disputed claims and is not an admission of liability or wrongdoing or fault by any of the Defendants. The proposed settlement is subject to Court approval.

The defendants are LEO Pharma Inc and LEO Pharma A/S.

What are the proceedings about?

The Claim alleges causes of action regarding the topical prescription medication Picato® (distributed by the Defendants in Canada for the treatment of actinic keratosis) including negligence, breaches of consumer protection legislation and breaches of the *Competition Act*. The allegations in the Claim have not been proven and the Defendants deny the allegations.

Who are in the Class and affected by the settlement?

The Class consists of "all persons in Canada who purchased and/or used Picato® in Canada between January 1, 2013 and the present".

The Court has appointed Gerald Stewart as Representative Plaintiff. Class Counsel is Rice Harbut Elliott LLP.

What are the terms of the settlement?

The settlement provides for an all-inclusive payment of **\$437,678.24 CDN** by the Defendants in exchange for a release by the Class and public health insurers of all matters relating to the Claim. The settlement funds, after deduction of Class Counsel Fees, disbursements, Administration Expenses, and Honorarium, will be donated as follows: 50% to the Canadian Skin Cancer Foundation for use in the GoSafe Sun safety program to raise awareness about the prevention and early detection of skin cancer, and 50% to the Law Foundation of British Columbia.

The full settlement terms and court documents are available at the following link: www.rhelaw.com/class-action/picato-class-action-canada

Will I receive compensation from this settlement?

No monetary compensation will be provided to Class Members in this settlement. The settlement funds, after deduction of Class Counsel Fees, disbursements and Administration Expenses, and

Honorarium will be distributed via *cy pres* donation to the above-noted organizations and no amounts will be paid to individual Class Members.

What are the fee arrangements?

Under the terms of their retainer agreement with the representative plaintiff, Class Counsel will seek approval of a fee of 30% of the Settlement Amount, after reimbursement for disbursements, applicable taxes, Administration Expenses, and the Honorarium of \$1,500 to the representative plaintiff.

How do I participate?

If you want to be a member of this class, you do not need to do anything. You are automatically included as a member of the Class, unless you opt out.

What if I do NOT want to participate?

If you do not want to participate in the class action, you may exclude yourself (“opt-out”). In order to opt out, you must complete and sign an opt out form and deliver it to Class Counsel by mail, courier, or email no later than **March 28, 2025**. The opt-out form is available at www.rhelaw.com/class-action/picato-class-action-canada.

The opt-out form must be emailed to nbeaupre-fulton@rhelaw.com, or mailed or couriered to:

Rice Harbut Elliott LLP
820-980 Howe Street
Vancouver, BC, V6Z 0C8
Canada
Attention: Anthony Leoni

Objections

All members of the Class who have not opted-out have the right to let the Court know of any objection they have to the approval of the Settlement Agreement, *cy-pres* donation, Class Counsel fees, disbursements, Administration Expenses or Honorarium to the representative plaintiff by delivering a letter or written objection to Class Counsel on or before **March 28, 2025**. If a Class Member wishes to object, the following information must be included in the letter or written objection delivered to Class Counsel:

- (a) The objector’s full name, current mailing address, telephone number and email address;
- (b) A brief statement of the nature and reasons for the objection;
- (c) Confirmation that the objector is a member of the Class;
- (d) Whether the objector intends to appear at the court hearing on their own behalf or through a lawyer, and if by a lawyer, the name, address, telephone number and email address of the lawyer; and
- (e) A statement that the foregoing information is true and correct.

Settlement Approval Hearing

A hearing will be held **April 15, 2025** to seek approval of the Settlement Agreement by the Court. The hearing will take place at 800 Smithe Street, Vancouver, B.C., before the Honourable Mr. Justice Brongers.

For more information or a copy of the Settlement Agreement, go to the following website:

www.rhelaw.com/class-action/picato-class-action-canada

You may also contact Class Counsel at nbeaupre-fulton@rhelaw.com or via mail at the address above.

This notice has been authorized by order of the British Columbia Supreme Court.